

---

**SUBSTITUTE HOUSE BILL 2822**

---

**State of Washington**

**60th Legislature**

**2008 Regular Session**

**By** House Judiciary (originally sponsored by Representatives Kagi, Walsh, Lantz, Dickerson, Haler, Sullivan, Seaquist, and Kenney)

READ FIRST TIME 02/05/08.

1       AN ACT Relating to the family and juvenile court improvement  
2 program; amending RCW 2.56.030; reenacting and amending RCW 43.84.092,  
3 43.84.092, and 43.84.092; adding new sections to chapter 2.56 RCW;  
4 making an appropriation; providing effective dates; and providing  
5 expiration dates.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7       NEW SECTION. **Sec. 1.** A new section is added to chapter 2.56 RCW  
8 to read as follows:

9       (1) The family and juvenile court improvement grant program is  
10 created. The purpose of the program is to assist superior courts in  
11 improving their family and juvenile court systems, especially in  
12 dependency cases, with the goals of:

13       (a) Assuring a stable and well-trained judiciary in family and  
14 juvenile law providing consistency of judicial officers hearing all of  
15 the proceedings in a case involving one family, especially in  
16 dependency cases; and

17       (b) Ensuring judicial accountability in implementing specific  
18 principles and practices for family and juvenile court.

1 (2) The administrator for the courts shall develop and administer  
2 the program subject to requirements in section 2 of this act.

3 (3) As part of administering the program, the administrator for the  
4 courts shall define appropriate outcome measures, collect data, and  
5 gather information from courts receiving grants.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 2.56 RCW  
7 to read as follows:

8 (1) A superior court may apply for grants from the family and  
9 juvenile court improvement grant program by submitting a local  
10 improvement plan with the administrator for the courts. To be eligible  
11 for grant funds, a superior court's local improvement plan must meet  
12 the criteria developed by the administrator for the courts and approved  
13 by the board for judicial administration. The criteria must be  
14 consistent with the principles adopted for unified family courts. At  
15 a minimum, the criteria must require that the court's local improvement  
16 plan meet the following requirements:

17 (a) Commit to a chief judge assignment to the family and juvenile  
18 court for a minimum of two years;

19 (b) Implementation of the principle of one judicial team hearing  
20 all of the proceedings in a case involving one family, especially in  
21 dependency cases; and

22 (c) Require court commissioners and judges assigned to family and  
23 juvenile court to receive a minimum of thirty hours specialized  
24 training in topics related to family and juvenile matters within six  
25 months of assuming duties in family and juvenile court. Where  
26 possible, courts should utilize local, statewide, and national training  
27 forums. A judicial officer's recorded educational history may be  
28 applied toward the thirty-hour requirement. The topics for training  
29 must include:

30 (i) Parentage;

31 (ii) Adoption;

32 (iii) Domestic relations;

33 (iv) Dependency and termination of parental rights;

34 (v) Child development;

35 (vi) The impact of child abuse and neglect;

36 (vii) Domestic violence;

37 (viii) Substance abuse;

1 (ix) Mental health;  
2 (x) Juvenile status offenses;  
3 (xi) Juvenile offenders;  
4 (xii) Self-representation issues;  
5 (xiii) Cultural competency;  
6 (xiv) Roles of family and juvenile court judges and commissioners.  
7 (2) Courts receiving grant money must use the funds to improve and  
8 support family and juvenile court operations based on standards  
9 developed by the administrator for the courts and approved by the board  
10 for judicial administration. The standards may allow courts to use the  
11 funds to:  
12 (a) Pay for family and juvenile court training of commissioners and  
13 judges or pay for pro tem commissioners and judges to assist the court  
14 while the commissioners and judges receive training;  
15 (b) Increase judicial and nonjudicial staff, including  
16 administrative staff to improve case coordination and referrals in  
17 family and juvenile cases, guardian ad litem volunteers or  
18 court-appointed special advocates, security, and other staff;  
19 (c) Improve the court facility to better meet the needs of children  
20 and families;  
21 (d) Improve referral and treatment options for court participants,  
22 including enhancing court facilitator programs and family treatment  
23 court and increasing the availability of alternative dispute  
24 resolution;  
25 (e) Enhance existing family and children support services funded by  
26 the courts and expand access to social service programs for families  
27 and children ordered by the court; and  
28 (f) Improve or support family and juvenile court operations in any  
29 other way deemed appropriate by the administrator for the courts.  
30 (3) The administrator for the courts shall establish a funding  
31 distribution formula for allocating available grant moneys to ensure  
32 that eligible courts in small, medium, and large counties receive grant  
33 moneys.  
34 (4) Money received by the superior court under this program must be  
35 used to supplement, not supplant, any other local, state, and federal  
36 funds for the court.

1        NEW SECTION.    **Sec. 3.**    A new section is added to chapter 2.56 RCW  
2 to read as follows:

3        (1) The Washington state institute for public policy shall evaluate  
4 the implementation of the family and juvenile court improvement grant  
5 program.    The institute shall examine each superior court receiving  
6 funding under the program and evaluate each court's implementation and  
7 effectiveness of its local improvement plan.

8        (2) The institute's study shall specifically consider whether the  
9 court is:

10        (a) Providing consistent judicial oversight of children and family  
11 cases by implementing the principle of one judicial team hearing all of  
12 the proceedings in a case involving one family, especially in  
13 dependency cases;

14        (b) Working towards resolving multiple case types through  
15 centralized case management; and

16        (c) Implementing practices consistent with the criteria developed  
17 by the administrator for the courts and approved by the board for  
18 judicial administration.

19        (3) By December 31, 2009, the institute shall report to the  
20 legislature the findings of its evaluations.

21        NEW SECTION.    **Sec. 4.**    A new section is added to chapter 2.56 RCW  
22 to read as follows:

23        The family and juvenile court improvement grant account is created  
24 in the state treasury.    Moneys in the account may be spent only after  
25 appropriation.    Expenditures from the account may be made only for the  
26 family and juvenile improvement grant program.

27        **Sec. 5.**    RCW 2.56.030 and 2007 c 496 s 302 are each amended to read  
28 as follows:

29        The administrator for the courts shall, under the supervision and  
30 direction of the chief justice:

31        (1) Examine the administrative methods and systems employed in the  
32 offices of the judges, clerks, stenographers, and employees of the  
33 courts and make recommendations, through the chief justice, for the  
34 improvement of the same;

35        (2) Examine the state of the dockets of the courts and determine  
36 the need for assistance by any court;

1           (3) Make recommendations to the chief justice relating to the  
2 assignment of judges where courts are in need of assistance and carry  
3 out the direction of the chief justice as to the assignments of judges  
4 to counties and districts where the courts are in need of assistance;

5           (4) Collect and compile statistical and other data and make reports  
6 of the business transacted by the courts and transmit the same to the  
7 chief justice to the end that proper action may be taken in respect  
8 thereto;

9           (5) Prepare and submit budget estimates of state appropriations  
10 necessary for the maintenance and operation of the judicial system and  
11 make recommendations in respect thereto;

12           (6) Collect statistical and other data and make reports relating to  
13 the expenditure of public moneys, state and local, for the maintenance  
14 and operation of the judicial system and the offices connected  
15 therewith;

16           (7) Obtain reports from clerks of courts in accordance with law or  
17 rules adopted by the supreme court of this state on cases and other  
18 judicial business in which action has been delayed beyond periods of  
19 time specified by law or rules of court and make report thereof to  
20 supreme court of this state;

21           (8) Act as secretary of the judicial conference referred to in RCW  
22 2.56.060;

23           (9) Submit annually, as of February 1st, to the chief justice, a  
24 report of the activities of the administrator's office for the  
25 preceding calendar year including activities related to courthouse  
26 security;

27           (10) Administer programs and standards for the training and  
28 education of judicial personnel;

29           (11) Examine the need for new superior court and district court  
30 judge positions under an objective workload analysis. The results of  
31 the objective workload analysis shall be reviewed by the board for  
32 judicial administration which shall make recommendations to the  
33 legislature. It is the intent of the legislature that an objective  
34 workload analysis become the basis for creating additional district and  
35 superior court positions, and recommendations should address that  
36 objective;

37           (12) Provide staff to the judicial retirement account plan under  
38 chapter 2.14 RCW;

1 (13) Attend to such other matters as may be assigned by the supreme  
2 court of this state;

3 (14) Within available funds, develop a curriculum for a general  
4 understanding of child development, placement, and treatment resources,  
5 as well as specific legal skills and knowledge of relevant statutes  
6 including chapters 13.32A, 13.34, and 13.40 RCW, cases, court rules,  
7 interviewing skills, and special needs of the abused or neglected  
8 child. This curriculum shall be completed and made available to all  
9 juvenile court judges, court personnel, and service providers and be  
10 updated yearly to reflect changes in statutes, court rules, or case  
11 law;

12 (15) Develop, in consultation with the entities set forth in RCW  
13 2.56.150(3), a comprehensive statewide curriculum for persons who act  
14 as guardians ad litem under Title 13 or 26 RCW. The curriculum shall  
15 be made available July 1, 2008, and include specialty sections on child  
16 development, child sexual abuse, child physical abuse, child neglect,  
17 domestic violence, clinical and forensic investigative and interviewing  
18 techniques, family reconciliation and mediation services, and relevant  
19 statutory and legal requirements. The curriculum shall be made  
20 available to all superior court judges, court personnel, and all  
21 persons who act as guardians ad litem;

22 (16) Develop a curriculum for a general understanding of crimes of  
23 malicious harassment, as well as specific legal skills and knowledge of  
24 RCW 9A.36.080, relevant cases, court rules, and the special needs of  
25 malicious harassment victims. This curriculum shall be made available  
26 to all superior court and court of appeals judges and to all justices  
27 of the supreme court;

28 (17) Develop, in consultation with the criminal justice training  
29 commission and the commissions established under chapters 43.113,  
30 43.115, and 43.117 RCW, a curriculum for a general understanding of  
31 ethnic and cultural diversity and its implications for working with  
32 youth of color and their families. The curriculum shall be available  
33 to all superior court judges and court commissioners assigned to  
34 juvenile court, and other court personnel. Ethnic and cultural  
35 diversity training shall be provided annually so as to incorporate  
36 cultural sensitivity and awareness into the daily operation of juvenile  
37 courts statewide;

1 (18) Authorize the use of closed circuit television and other  
2 electronic equipment in judicial proceedings. The administrator shall  
3 promulgate necessary standards and procedures and shall provide  
4 technical assistance to courts as required;

5 (19) Develop a Washington family law handbook in accordance with  
6 RCW 2.56.180;

7 (20) Administer state funds for improving the operation of the  
8 courts and provide support for court coordinating councils, under the  
9 direction of the board for judicial administration;

10 (21) Administer the family and juvenile court improvement grant  
11 program and distribute amounts appropriated from the family and  
12 juvenile court improvement grant account;

13 (22)(a) Administer and distribute amounts appropriated from the  
14 equal justice subaccount under RCW 43.08.250(2) for district court  
15 judges' and qualifying elected municipal court judges' salary  
16 contributions. The administrator for the courts shall develop a  
17 distribution formula for these amounts that does not differentiate  
18 between district and elected municipal court judges.

19 (b) A city qualifies for state contribution of elected municipal  
20 court judges' salaries under (a) of this subsection if:

21 (i) The judge is serving in an elected position;

22 (ii) The city has established by ordinance that a full-time judge  
23 is compensated at a rate equivalent to at least ninety-five percent,  
24 but not more than one hundred percent, of a district court judge salary  
25 or for a part-time judge on a pro rata basis the same equivalent; and

26 (iii) The city has certified to the office of the administrator for  
27 the courts that the conditions in (b)(i) and (ii) of this subsection  
28 have been met.

29 **Sec. 6.** RCW 43.84.092 and 2007 c 514 s 3 and 2007 c 356 s 9 are  
30 each reenacted and amended to read as follows:

31 (1) All earnings of investments of surplus balances in the state  
32 treasury shall be deposited to the treasury income account, which  
33 account is hereby established in the state treasury.

34 (2) The treasury income account shall be utilized to pay or receive  
35 funds associated with federal programs as required by the federal cash  
36 management improvement act of 1990. The treasury income account is  
37 subject in all respects to chapter 43.88 RCW, but no appropriation is

1 required for refunds or allocations of interest earnings required by  
2 the cash management improvement act. Refunds of interest to the  
3 federal treasury required under the cash management improvement act  
4 fall under RCW 43.88.180 and shall not require appropriation. The  
5 office of financial management shall determine the amounts due to or  
6 from the federal government pursuant to the cash management improvement  
7 act. The office of financial management may direct transfers of funds  
8 between accounts as deemed necessary to implement the provisions of the  
9 cash management improvement act, and this subsection. Refunds or  
10 allocations shall occur prior to the distributions of earnings set  
11 forth in subsection (4) of this section.

12 (3) Except for the provisions of RCW 43.84.160, the treasury income  
13 account may be utilized for the payment of purchased banking services  
14 on behalf of treasury funds including, but not limited to, depository,  
15 safekeeping, and disbursement functions for the state treasury and  
16 affected state agencies. The treasury income account is subject in all  
17 respects to chapter 43.88 RCW, but no appropriation is required for  
18 payments to financial institutions. Payments shall occur prior to  
19 distribution of earnings set forth in subsection (4) of this section.

20 (4) Monthly, the state treasurer shall distribute the earnings  
21 credited to the treasury income account. The state treasurer shall  
22 credit the general fund with all the earnings credited to the treasury  
23 income account except:

24 (a) The following accounts and funds shall receive their  
25 proportionate share of earnings based upon each account's and fund's  
26 average daily balance for the period: The capitol building  
27 construction account, the Cedar River channel construction and  
28 operation account, the Central Washington University capital projects  
29 account, the charitable, educational, penal and reformatory  
30 institutions account, the Columbia river basin water supply development  
31 account, the common school construction fund, the county criminal  
32 justice assistance account, the county sales and use tax equalization  
33 account, the data processing building construction account, the  
34 deferred compensation administrative account, the deferred compensation  
35 principal account, the department of retirement systems expense  
36 account, the developmental disabilities community trust account, the  
37 drinking water assistance account, the drinking water assistance  
38 administrative account, the drinking water assistance repayment

1 account, the Eastern Washington University capital projects account,  
2 the education construction fund, the education legacy trust account,  
3 the election account, the emergency reserve fund, the energy freedom  
4 account, The Evergreen State College capital projects account, the  
5 family and juvenile court improvement grant account, the federal forest  
6 revolving account, the freight congestion relief account, the freight  
7 mobility investment account, the freight mobility multimodal account,  
8 the health services account, the public health services account, the  
9 health system capacity account, the personal health services account,  
10 the state higher education construction account, the higher education  
11 construction account, the highway infrastructure account, the high-  
12 occupancy toll lanes operations account, the industrial insurance  
13 premium refund account, the judges' retirement account, the judicial  
14 retirement administrative account, the judicial retirement principal  
15 account, the local leasehold excise tax account, the local real estate  
16 excise tax account, the local sales and use tax account, the medical  
17 aid account, the mobile home park relocation fund, the multimodal  
18 transportation account, the municipal criminal justice assistance  
19 account, the municipal sales and use tax equalization account, the  
20 natural resources deposit account, the oyster reserve land account, the  
21 pension funding stabilization account, the perpetual surveillance and  
22 maintenance account, the public employees' retirement system plan 1  
23 account, the public employees' retirement system combined plan 2 and  
24 plan 3 account, the public facilities construction loan revolving  
25 account beginning July 1, 2004, the public health supplemental account,  
26 the public works assistance account, the Puyallup tribal settlement  
27 account, the real estate appraiser commission account, the regional  
28 mobility grant program account, the resource management cost account,  
29 the rural Washington loan fund, the site closure account, the small  
30 city pavement and sidewalk account, the special wildlife account, the  
31 state employees' insurance account, the state employees' insurance  
32 reserve account, the state investment board expense account, the state  
33 investment board commingled trust fund accounts, the supplemental  
34 pension account, the Tacoma Narrows toll bridge account, the teachers'  
35 retirement system plan 1 account, the teachers' retirement system  
36 combined plan 2 and plan 3 account, the tobacco prevention and control  
37 account, the tobacco settlement account, the transportation  
38 infrastructure account, the transportation partnership account, the

1 traumatic brain injury account, the tuition recovery trust fund, the  
2 University of Washington bond retirement fund, the University of  
3 Washington building account, the volunteer firefighters' and reserve  
4 officers' relief and pension principal fund, the volunteer  
5 firefighters' and reserve officers' administrative fund, the Washington  
6 fruit express account, the Washington judicial retirement system  
7 account, the Washington law enforcement officers' and firefighters'  
8 system plan 1 retirement account, the Washington law enforcement  
9 officers' and firefighters' system plan 2 retirement account, the  
10 Washington public safety employees' plan 2 retirement account, the  
11 Washington school employees' retirement system combined plan 2 and 3  
12 account, the Washington state health insurance pool account, the  
13 Washington state patrol retirement account, the Washington State  
14 University building account, the Washington State University bond  
15 retirement fund, the water pollution control revolving fund, and the  
16 Western Washington University capital projects account. Earnings  
17 derived from investing balances of the agricultural permanent fund, the  
18 normal school permanent fund, the permanent common school fund, the  
19 scientific permanent fund, and the state university permanent fund  
20 shall be allocated to their respective beneficiary accounts. All  
21 earnings to be distributed under this subsection (4)(a) shall first be  
22 reduced by the allocation to the state treasurer's service fund  
23 pursuant to RCW 43.08.190.

24 (b) The following accounts and funds shall receive eighty percent  
25 of their proportionate share of earnings based upon each account's or  
26 fund's average daily balance for the period: The aeronautics account,  
27 the aircraft search and rescue account, the county arterial  
28 preservation account, the department of licensing services account, the  
29 essential rail assistance account, the ferry bond retirement fund, the  
30 grade crossing protective fund, the high capacity transportation  
31 account, the highway bond retirement fund, the highway safety account,  
32 the motor vehicle fund, the motorcycle safety education account, the  
33 pilotage account, the public transportation systems account, the Puget  
34 Sound capital construction account, the Puget Sound ferry operations  
35 account, the recreational vehicle account, the rural arterial trust  
36 account, the safety and education account, the special category C  
37 account, the state patrol highway account, the transportation 2003  
38 account (nickel account), the transportation equipment fund, the

1 transportation fund, the transportation improvement account, the  
2 transportation improvement board bond retirement account, and the urban  
3 arterial trust account.

4 (5) In conformance with Article II, section 37 of the state  
5 Constitution, no treasury accounts or funds shall be allocated earnings  
6 without the specific affirmative directive of this section.

7 **Sec. 7.** RCW 43.84.092 and 2007 c 514 s 3, 2007 c 484 s 4, and 2007  
8 c 356 s 9 are each reenacted and amended to read as follows:

9 (1) All earnings of investments of surplus balances in the state  
10 treasury shall be deposited to the treasury income account, which  
11 account is hereby established in the state treasury.

12 (2) The treasury income account shall be utilized to pay or receive  
13 funds associated with federal programs as required by the federal cash  
14 management improvement act of 1990. The treasury income account is  
15 subject in all respects to chapter 43.88 RCW, but no appropriation is  
16 required for refunds or allocations of interest earnings required by  
17 the cash management improvement act. Refunds of interest to the  
18 federal treasury required under the cash management improvement act  
19 fall under RCW 43.88.180 and shall not require appropriation. The  
20 office of financial management shall determine the amounts due to or  
21 from the federal government pursuant to the cash management improvement  
22 act. The office of financial management may direct transfers of funds  
23 between accounts as deemed necessary to implement the provisions of the  
24 cash management improvement act, and this subsection. Refunds or  
25 allocations shall occur prior to the distributions of earnings set  
26 forth in subsection (4) of this section.

27 (3) Except for the provisions of RCW 43.84.160, the treasury income  
28 account may be utilized for the payment of purchased banking services  
29 on behalf of treasury funds including, but not limited to, depository,  
30 safekeeping, and disbursement functions for the state treasury and  
31 affected state agencies. The treasury income account is subject in all  
32 respects to chapter 43.88 RCW, but no appropriation is required for  
33 payments to financial institutions. Payments shall occur prior to  
34 distribution of earnings set forth in subsection (4) of this section.

35 (4) Monthly, the state treasurer shall distribute the earnings  
36 credited to the treasury income account. The state treasurer shall

1 credit the general fund with all the earnings credited to the treasury  
2 income account except:

3 (a) The following accounts and funds shall receive their  
4 proportionate share of earnings based upon each account's and fund's  
5 average daily balance for the period: The budget stabilization  
6 account, the capitol building construction account, the Cedar River  
7 channel construction and operation account, the Central Washington  
8 University capital projects account, the charitable, educational, penal  
9 and reformatory institutions account, the Columbia river basin water  
10 supply development account, the common school construction fund, the  
11 county criminal justice assistance account, the county sales and use  
12 tax equalization account, the data processing building construction  
13 account, the deferred compensation administrative account, the deferred  
14 compensation principal account, the department of retirement systems  
15 expense account, the developmental disabilities community trust  
16 account, the drinking water assistance account, the drinking water  
17 assistance administrative account, the drinking water assistance  
18 repayment account, the Eastern Washington University capital projects  
19 account, the education construction fund, the education legacy trust  
20 account, the election account, the energy freedom account, The  
21 Evergreen State College capital projects account, the family and  
22 juvenile court improvement grant account, the federal forest revolving  
23 account, the freight congestion relief account, the freight mobility  
24 investment account, the freight mobility multimodal account, the health  
25 services account, the public health services account, the health system  
26 capacity account, the personal health services account, the state  
27 higher education construction account, the higher education  
28 construction account, the highway infrastructure account, the high-  
29 occupancy toll lanes operations account, the industrial insurance  
30 premium refund account, the judges' retirement account, the judicial  
31 retirement administrative account, the judicial retirement principal  
32 account, the local leasehold excise tax account, the local real estate  
33 excise tax account, the local sales and use tax account, the medical  
34 aid account, the mobile home park relocation fund, the multimodal  
35 transportation account, the municipal criminal justice assistance  
36 account, the municipal sales and use tax equalization account, the  
37 natural resources deposit account, the oyster reserve land account, the  
38 pension funding stabilization account, the perpetual surveillance and

1 maintenance account, the public employees' retirement system plan 1  
2 account, the public employees' retirement system combined plan 2 and  
3 plan 3 account, the public facilities construction loan revolving  
4 account beginning July 1, 2004, the public health supplemental account,  
5 the public works assistance account, the Puyallup tribal settlement  
6 account, the real estate appraiser commission account, the regional  
7 mobility grant program account, the resource management cost account,  
8 the rural Washington loan fund, the site closure account, the small  
9 city pavement and sidewalk account, the special wildlife account, the  
10 state employees' insurance account, the state employees' insurance  
11 reserve account, the state investment board expense account, the state  
12 investment board commingled trust fund accounts, the supplemental  
13 pension account, the Tacoma Narrows toll bridge account, the teachers'  
14 retirement system plan 1 account, the teachers' retirement system  
15 combined plan 2 and plan 3 account, the tobacco prevention and control  
16 account, the tobacco settlement account, the transportation  
17 infrastructure account, the transportation partnership account, the  
18 traumatic brain injury account, the tuition recovery trust fund, the  
19 University of Washington bond retirement fund, the University of  
20 Washington building account, the volunteer firefighters' and reserve  
21 officers' relief and pension principal fund, the volunteer  
22 firefighters' and reserve officers' administrative fund, the Washington  
23 fruit express account, the Washington judicial retirement system  
24 account, the Washington law enforcement officers' and firefighters'  
25 system plan 1 retirement account, the Washington law enforcement  
26 officers' and firefighters' system plan 2 retirement account, the  
27 Washington public safety employees' plan 2 retirement account, the  
28 Washington school employees' retirement system combined plan 2 and 3  
29 account, the Washington state health insurance pool account, the  
30 Washington state patrol retirement account, the Washington State  
31 University building account, the Washington State University bond  
32 retirement fund, the water pollution control revolving fund, and the  
33 Western Washington University capital projects account. Earnings  
34 derived from investing balances of the agricultural permanent fund, the  
35 normal school permanent fund, the permanent common school fund, the  
36 scientific permanent fund, and the state university permanent fund  
37 shall be allocated to their respective beneficiary accounts. All

1 earnings to be distributed under this subsection (4)(a) shall first be  
2 reduced by the allocation to the state treasurer's service fund  
3 pursuant to RCW 43.08.190.

4 (b) The following accounts and funds shall receive eighty percent  
5 of their proportionate share of earnings based upon each account's or  
6 fund's average daily balance for the period: The aeronautics account,  
7 the aircraft search and rescue account, the county arterial  
8 preservation account, the department of licensing services account, the  
9 essential rail assistance account, the ferry bond retirement fund, the  
10 grade crossing protective fund, the high capacity transportation  
11 account, the highway bond retirement fund, the highway safety account,  
12 the motor vehicle fund, the motorcycle safety education account, the  
13 pilotage account, the public transportation systems account, the Puget  
14 Sound capital construction account, the Puget Sound ferry operations  
15 account, the recreational vehicle account, the rural arterial trust  
16 account, the safety and education account, the special category C  
17 account, the state patrol highway account, the transportation 2003  
18 account (nickel account), the transportation equipment fund, the  
19 transportation fund, the transportation improvement account, the  
20 transportation improvement board bond retirement account, and the urban  
21 arterial trust account.

22 (5) In conformance with Article II, section 37 of the state  
23 Constitution, no treasury accounts or funds shall be allocated earnings  
24 without the specific affirmative directive of this section.

25 **Sec. 8.** RCW 43.84.092 and 2007 c 514 s 3, 2007 c 513 s 1, 2007 c  
26 484 s 4, and 2007 c 356 s 9 are each reenacted and amended to read as  
27 follows:

28 (1) All earnings of investments of surplus balances in the state  
29 treasury shall be deposited to the treasury income account, which  
30 account is hereby established in the state treasury.

31 (2) The treasury income account shall be utilized to pay or receive  
32 funds associated with federal programs as required by the federal cash  
33 management improvement act of 1990. The treasury income account is  
34 subject in all respects to chapter 43.88 RCW, but no appropriation is  
35 required for refunds or allocations of interest earnings required by  
36 the cash management improvement act. Refunds of interest to the  
37 federal treasury required under the cash management improvement act

1 fall under RCW 43.88.180 and shall not require appropriation. The  
2 office of financial management shall determine the amounts due to or  
3 from the federal government pursuant to the cash management improvement  
4 act. The office of financial management may direct transfers of funds  
5 between accounts as deemed necessary to implement the provisions of the  
6 cash management improvement act, and this subsection. Refunds or  
7 allocations shall occur prior to the distributions of earnings set  
8 forth in subsection (4) of this section.

9 (3) Except for the provisions of RCW 43.84.160, the treasury income  
10 account may be utilized for the payment of purchased banking services  
11 on behalf of treasury funds including, but not limited to, depository,  
12 safekeeping, and disbursement functions for the state treasury and  
13 affected state agencies. The treasury income account is subject in all  
14 respects to chapter 43.88 RCW, but no appropriation is required for  
15 payments to financial institutions. Payments shall occur prior to  
16 distribution of earnings set forth in subsection (4) of this section.

17 (4) Monthly, the state treasurer shall distribute the earnings  
18 credited to the treasury income account. The state treasurer shall  
19 credit the general fund with all the earnings credited to the treasury  
20 income account except:

21 The following accounts and funds shall receive their proportionate  
22 share of earnings based upon each account's and fund's average daily  
23 balance for the period: The aeronautics account, the aircraft search  
24 and rescue account, the budget stabilization account, the capitol  
25 building construction account, the Cedar River channel construction and  
26 operation account, the Central Washington University capital projects  
27 account, the charitable, educational, penal and reformatory  
28 institutions account, the Columbia river basin water supply development  
29 account, the common school construction fund, the county arterial  
30 preservation account, the county criminal justice assistance account,  
31 the county sales and use tax equalization account, the data processing  
32 building construction account, the deferred compensation administrative  
33 account, the deferred compensation principal account, the department of  
34 licensing services account, the department of retirement systems  
35 expense account, the developmental disabilities community trust  
36 account, the drinking water assistance account, the drinking water  
37 assistance administrative account, the drinking water assistance  
38 repayment account, the Eastern Washington University capital projects

1 account, the education construction fund, the education legacy trust  
2 account, the election account, the energy freedom account, the  
3 essential rail assistance account, The Evergreen State College capital  
4 projects account, the family and juvenile court improvement grant  
5 account, the federal forest revolving account, the ferry bond  
6 retirement fund, the freight congestion relief account, the freight  
7 mobility investment account, the freight mobility multimodal account,  
8 the grade crossing protective fund, the health services account, the  
9 public health services account, the health system capacity account, the  
10 personal health services account, the high capacity transportation  
11 account, the state higher education construction account, the higher  
12 education construction account, the highway bond retirement fund, the  
13 highway infrastructure account, the highway safety account, the high-  
14 occupancy toll lanes operations account, the industrial insurance  
15 premium refund account, the judges' retirement account, the judicial  
16 retirement administrative account, the judicial retirement principal  
17 account, the local leasehold excise tax account, the local real estate  
18 excise tax account, the local sales and use tax account, the medical  
19 aid account, the mobile home park relocation fund, the motor vehicle  
20 fund, the motorcycle safety education account, the multimodal  
21 transportation account, the municipal criminal justice assistance  
22 account, the municipal sales and use tax equalization account, the  
23 natural resources deposit account, the oyster reserve land account, the  
24 pension funding stabilization account, the perpetual surveillance and  
25 maintenance account, the pilotage account, the public employees'  
26 retirement system plan 1 account, the public employees' retirement  
27 system combined plan 2 and plan 3 account, the public facilities  
28 construction loan revolving account beginning July 1, 2004, the public  
29 health supplemental account, the public transportation systems account,  
30 the public works assistance account, the Puget Sound capital  
31 construction account, the Puget Sound ferry operations account, the  
32 Puyallup tribal settlement account, the real estate appraiser  
33 commission account, the recreational vehicle account, the regional  
34 mobility grant program account, the resource management cost account,  
35 the rural arterial trust account, the rural Washington loan fund, the  
36 safety and education account, the site closure account, the small city  
37 pavement and sidewalk account, the special category C account, the  
38 special wildlife account, the state employees' insurance account, the

1 state employees' insurance reserve account, the state investment board  
2 expense account, the state investment board commingled trust fund  
3 accounts, the state patrol highway account, the supplemental pension  
4 account, the Tacoma Narrows toll bridge account, the teachers'  
5 retirement system plan 1 account, the teachers' retirement system  
6 combined plan 2 and plan 3 account, the tobacco prevention and control  
7 account, the tobacco settlement account, the transportation 2003  
8 account (nickel account), the transportation equipment fund, the  
9 transportation fund, the transportation improvement account, the  
10 transportation improvement board bond retirement account, the  
11 transportation infrastructure account, the transportation partnership  
12 account, the traumatic brain injury account, the tuition recovery trust  
13 fund, the University of Washington bond retirement fund, the University  
14 of Washington building account, the urban arterial trust account, the  
15 volunteer firefighters' and reserve officers' relief and pension  
16 principal fund, the volunteer firefighters' and reserve officers'  
17 administrative fund, the Washington fruit express account, the  
18 Washington judicial retirement system account, the Washington law  
19 enforcement officers' and firefighters' system plan 1 retirement  
20 account, the Washington law enforcement officers' and firefighters'  
21 system plan 2 retirement account, the Washington public safety  
22 employees' plan 2 retirement account, the Washington school employees'  
23 retirement system combined plan 2 and 3 account, the Washington state  
24 health insurance pool account, the Washington state patrol retirement  
25 account, the Washington State University building account, the  
26 Washington State University bond retirement fund, the water pollution  
27 control revolving fund, and the Western Washington University capital  
28 projects account. Earnings derived from investing balances of the  
29 agricultural permanent fund, the normal school permanent fund, the  
30 permanent common school fund, the scientific permanent fund, and the  
31 state university permanent fund shall be allocated to their respective  
32 beneficiary accounts. All earnings to be distributed under this  
33 subsection (4)(a) shall first be reduced by the allocation to the state  
34 treasurer's service fund pursuant to RCW 43.08.190.

35 (5) In conformance with Article II, section 37 of the state  
36 Constitution, no treasury accounts or funds shall be allocated earnings  
37 without the specific affirmative directive of this section.

1        NEW SECTION.    **Sec. 9.**    The sum of one million two hundred sixty  
2 thousand dollars, or as much thereof as may be necessary, is  
3 appropriated for the fiscal year ending June 30, 2009, from the general  
4 fund to the family and juvenile court improvement grant account for the  
5 purposes of implementing this act.

6        NEW SECTION.    **Sec. 10.**    (1) Section 7 of this act takes effect July  
7 1, 2008.

8        (2) Section 8 of this act takes effect July 1, 2009.

9        NEW SECTION.    **Sec. 11.**    (1) Section 6 of this act expires July 1,  
10 2008.

11        (2) Section 7 of this act expires July 1, 2009.

--- END ---